

104TH CONGRESS
1ST SESSION

H. R. 1963

To amend title 39, United States Code, to provide that the payment of a bill, invoice, or statement of account due, if made by mail, shall be considered to have been made on the date as of which the envelope which is used to transmit such payment is postmarked.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 1995

Mr. MCHUGH (for himself, Mr. ACKERMAN, Mr. BARRETT of Wisconsin, Mr. BOEHLERT, Mr. EHRLICH, Mr. GILMAN, Mr. GENE GREEN of Texas, Mr. JACOBS, Mrs. KELLY, Mrs. KENNELLY, Mr. KLECZKA, Mr. LIVINGSTON, Mr. PARKER, Mr. ROMERO-BARCELÓ, Mr. SERRANO, Mr. SHAYS, Mr. STOCKMAN, Mr. UNDERWOOD, Mr. TOWNS, Mr. WALSH, and Mr. DAVIS) introduced the following bill; which was referred to the Committee on Government Reform and Oversight

A BILL

To amend title 39, United States Code, to provide that the payment of a bill, invoice, or statement of account due, if made by mail, shall be considered to have been made on the date as of which the envelope which is used to transmit such payment is postmarked.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Postmark Prompt Pay-
5 ment Act of 1995”.

1 **SEC. 2. DATE OF POSTMARK TO BE TREATED AS DATE OF**
2 **PAYMENT OF A BILL, INVOICE, OR STATE-**
3 **MENT OF ACCOUNT DUE.**

4 (a) IN GENERAL.—Chapter 26 of title 39, United
5 States Code, is amended by adding at the end the follow-
6 ing:

7 **“§ 2606. Date of postmark to be treated as date of**
8 **payment of a bill, invoice, or statement of**
9 **account due**

10 “(a) If any payment required to be made on or before
11 a prescribed date is, after such date, delivered by the Post-
12 al Service to the payee, such payment shall be deemed re-
13 ceived by the payee on the date of the United States post-
14 mark stamped on the envelope or other cover in which
15 such payment is mailed.

16 “(b) Subsection (a) shall not apply with respect to
17 any payment—

18 “(1) other than a payment on a bill, invoice, or
19 statement of account due;

20 “(2) which is required, by law, regulation, or
21 contract, to be delivered by any method other than
22 by mail; or

23 “(3) which is subject to any other provision of
24 Federal law specifying how a postmark date shall be
25 used in determining the date on which such payment
26 shall be deemed to have been delivered or made.

1 “(c) Subsection (a) shall apply only if—

2 “(1) the postmark date falls on or before the
3 prescribed date for making the payment; and

4 “(2) the payment was, on or before such date,
5 deposited in the mail in the United States in an en-
6 velope or under other appropriate cover, postage pre-
7 paid, properly addressed to the payee.

8 “(d) Subsection (a) shall not apply in the case of a
9 postmark not made by the Postal Service.

10 “(e) For purposes of this section—

11 “(1) the term ‘payee’, as used with respect to
12 a payment, includes any person duly authorized to
13 receive such payment; and

14 “(2) the term ‘United States’ means the 50
15 States, the District of Columbia, the Commonwealth
16 of Puerto Rico, and any territory or possession of
17 the United States.

18 “(f) Regulations to carry out this section may be pre-
19 scribed by the Postal Service.”.

20 (b) CONFORMING AMENDMENT.—The table of sec-
21 tions for chapter 26 of title 39, United States Code, is
22 amended by adding at the end the following:

“2606. Date of postmark to be treated as date of payment of a bill, invoice,
or statement of account due.”.

1 **SEC. 3. EFFECTIVE DATE.**

2 The amendments made by this Act shall apply with
3 respect to any mailing postmarked after the end of the
4 3-month period beginning on the date of enactment of this
5 Act.

